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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/722,798	11/26/2003	Jack Chen	M319	8228

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EXAMINER

MCCLOUD, RENATA D

ART UNIT PAPER NUMBER

2837

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/722,798

Applicant(s)

CHEN ET AL.

Examiner

Renata McCloud

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: (a) (34) on (24D-F) as described on page 6, 3<sup>rd</sup> paragraph of the specification; (b) (54) connected to all of the contacts (34); (c) (56) connected to all of the contacts (34). The items need to be labeled.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "40" and "36" have both been used to designate second contact.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Specification***

3. The amendment filed 01/23/2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: "showing a single gear motor that is representative of all the gear motors"

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Objections***

4. Claim 1 objected to because of the following informalities: the limitation "said first contacts" in line 4 should probably be "said first contact". Appropriate correction is required.

Claim 1 objected to because of the following informalities: the limitation "said second contacts" in line 4 should probably be "said second contact". Appropriate correction is required.

Claim 5 objected to because of the following informalities: the limitation "said first contacts" in line 5 should probably be "said first contact". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-6 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described

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in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1,3,5: The limitation "without being connected to a contact of a motor" is not described in the specification.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-6 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(a) Claim 1,3,5: the limitation "without being connected to a contact of a motor" is a negative limitation that renders the claim indefinite because it is an attempt to claim an invention by excluding what the inventor(s) did not invent, rather than distinctly pointing out what is invented (see MPEP 2173.05(i)).

(b) Claim 5 recites the limitations "said switch ", and "said first and second switches". There is insufficient antecedent basis for these limitations in the claim.

(c) Claim 5 recites the limitation "said first row of motors". There is insufficient antecedent basis for this limitation in the claim.

(d) Claim 5 recites the limitation "said contacts". There is insufficient antecedent basis for this limitation in the claim.

(e) Claim 6 recites the limitation "said switch". There is insufficient antecedent basis for this limitation in the claim. It is unclear which switch is being referred to since claim 5 refers to plural switches.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Heiman (US 4458187).

**Claims 1,3:** A control for controlling a plurality of motors (fig. 3:A101, 102) for stopping said motors at a home orientation wherein each of said motors has a first contact, a second contact, and an output shaft, said plurality of motors being configured in a grid having columns and rows (fig 3:Rows 1-8, cols 1-10) with said first contacts (fig 3: "+" side) of all of said motors in one of said column connected in parallel and said second contacts ("-" side) of all of said motors in one row connected in parallel, wherein one of said plurality of motors in a first column and in a first row is energized by directing electric power across a connector connecting first column and said connector connecting said first row, said controller comprising a switch (s101,s201) on each of said plurality of motors, said switch having a first contact, a second contact, an open position, and a closed position, means on said output shaft for actuating said switch when said shaft is at said home orientation (col. 2:54-3:13), for each one of said motors, said first contact of said switch (top of s101) connected to said first contact (+ side of s101) of said motor, a detector (330/335) for detecting a change in electric potential (330), and said second contact of said switches (bottom of s101) of said first row (row 1) of said plurality of motors connected in parallel and connected to said detector (330/335) for detecting a change in electric potential without being connected to a contact of a motor (Fig. 3:line 331 is connected to

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the diodes. Line 331 is needed to complete the loop in which the impedance is measured, col. 5:4-30) wherein said means for detecting will detect a change in potential when said shaft of said one of said motors rotates to its said home orientation (col. 5:15-30).

**Claims 2,4:** means (a diode) in series with the switch for preventing reverse current (col. 5:3-14).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 5,6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heiman in view of Levasseur (US4284208).

**Claim 5:** Heiman teaches a control for controlling a plurality of motors (fig. 2:A101, 102) for stopping said motors at a home orientation wherein each of said motors has a first contact, a second contact, and an output shaft, said plurality of motors being configured in a grid having columns and rows (fig 2:Rows 1-8, cols 1-10) with said first contacts (fig 2: "+" side) of all of said motors in one of said column connected in parallel wherein the first contacts are connected through a switch (371) to a source (335) and said second contacts ("-" side) of all of said motors in one row connected through a switch (371) to a source wherein one of said plurality of motors in a first column and in a first row is energized by directing electric power across a connector connecting first column and said connector connecting said first row, said controller comprising a switch (s101,s201) on each of said plurality of motors, said switch having a first contact, a second contact, an open position, and a closed position, means on said output shaft for actuating said switch when said shaft is at said home orientation (col. 2:54-3:13), for each one

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of said motors, said first contact of said switch (top of s101) connected to said first contact (+ side of s101) of said motor, means for detecting a change in electric potential (330) without being connected to one of the contacts of a motor (Fig. 3:line 331 is connected to the diodes. Line 331 is needed to complete the loop in which the impedance is measured, col. 5:4-30), and said second contact of said switches (bottom of s101) of said first row (row 1) of said plurality of motors connected in parallel and connected to said means for detecting a change in electric potential (330) wherein said means for detecting will detect a change in potential when said shaft of said one of said motors rotates to its said home orientation (col. 5:15-30). Heiman does not teach separate first and second switches connecting to first and second poles of the power source. Levasseur teaches motors in one column connected in parallel wherein the first contacts (top of the motor) are connected through a first switch (fig. 2:102A) to a first pole (+) of a source and said second contacts (bottom of the motor) of all of said motors in one row connected through a second switch (112A) to a second pole (-) of the source. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus taught by Heiman to use a second switch as taught by Levasseur in order to energize particular columns and rows of motors.

**Claim 6:** Heiman teaches means (a diode) in series with the switch for preventing reverse current (col. 5:3-14). Levasseur also teaches means (a diode) in series with the switch for preventing reverse current (col. 4:25-33).

### ***Response to Arguments***

13. Applicant's arguments filed 01/23/2006 have been fully considered but they are not persuasive. In response to applicant's argument that the references fails to show the detector detecting without being connected to a contact of the motor, Heiman shows the detector

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(330/335) not connected to one of the contacts of the motor (line 371 is not connected to a contact).

### ***Conclusion***

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Renata McCloud whose telephone number is (571) 272-2069. The examiner can normally be reached on Mon.- Fri. from 5:30 am - 2pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext. 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Renata McCloud  
Examiner  
Art Unit 2837

rdm



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PRIMARY EXAMINER